

MITIGATED NEGATIVE DECLARATION

May 31, 2007

Project Name: Sunrise Villas Site Plan

Project Numbers: S06-009, Log No. 06-09-007

**This Document is Considered Draft Until it is Adopted by the Appropriate
County of San Diego Decision-Making Body.**

This Mitigated Negative Declaration is comprised of this form along with the Environmental Initial Study that includes the following:

- a. Initial Study Form
- b. Environmental Analysis Form and attached extended studies for Drainage and Stormwater Management Plan for Priority Projects.

1. California Environmental Quality Act Mitigated Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment.

2. Required Mitigation Measures:

Refer to the attached Environmental Initial Study for the rationale for requiring the following measures:

A. TRANSPORTATION

1. The payment of the Transportation Impact Fee, which will be required at issuance of building permits, in combination with other components of this program, will mitigate potential cumulative traffic impacts to less than significant.

3. Critical Project Design Elements That Must Become Conditions of Approval:

The following project design elements were either proposed in the project application or the result of compliance with specific environmental laws and regulations and were essential in reaching the conclusions within the attached Environmental Initial Study. While the following are not technically mitigation measures, their implementation must be assured to avoid potentially significant environmental effects.

- A. Prior to commencement of any construction and prior to obtaining any building permits pursuant to this Site Plan, the applicant shall:
1. Complete that portion of the centerline review process (curb grade project UY4665) required prior to obtaining building permits.
 2. Obtain a grading permit, required prior to commencement of the grading, when quantities exceed 200 cubic yards of material and/or cuts or fills of 8' or more per criteria of Section 87.202 of the County Code.
 3. Record an easement with covenant in accordance with County guideline Category 2 mechanism to assure maintenance. Maintenance requirements and costs for treatment BMPs shall be based on County of San Diego Standard Urban Stormwater Mitigation Plan (SUSMP) appendix H. Ref: Ordinance 9424 Section 67.819 Maintenance of BMPs.
 4. Participate in the construction of planned drainage facilities for Zone 1, Planned Local Drainage Area 43E, by paying a drainage fee of \$1,091. The Planning Commission hereby determines that:
 - a. The fee is to assist in financing the construction of the planned local drainage (PLD) facilities for Zone 1, Local Drainage Area 43E;

- b. The fee will be used to contribute towards the construction of drainage facilities such as: reinforced concrete pipe culverts, corrugated metal pipe culverts, concrete-lined trapezoidal channels, rock-lined channels, reinforced box culverts, concrete dip sections, energy dissipaters, rip-rap slope protection, etc., planned for Zone 1, Local Drainage Area 43E, specified in the Drainage Fee Ordinance No. 5856 on file with the Department of Public Works;
 - c. The Board of Supervisors has determined that facilities for the removal of surface and storm waters from local or neighborhood drainage areas within Zone 1, Local Drainage Area 43E, need to be constructed as subdivision and other development occurs such as that proposed by S06-009, to protect and benefit all property in the area;
 - d. To provide adequate flood protection for future occupants of this project, it is necessary to construct the planned drainage facilities to remove surface and storm waters from local or neighborhood drainage areas; and
 - e. The fees established for Zone 1, Local Drainage Area 43E, are based on estimated costs of the planned drainage facilities which are apportioned within the drainage area on the basis of benefit conferred on the property.
- 5. Execute documentation required for an avigation and/or an overflight easement, to the satisfaction of the Department of Public Works (DPW).
- B. Prior to occupancy or use of the premises pursuant to this Site Plan, the applicant shall:
 - 1. Complete that portion of the centerline review process (curb grade project UY4665) required prior to occupancy or use of the premises.
 - 2. Per SUSMP Section 2.1.2.1. The Treatment BMPs have been conceptually sized and located. An addendum shall be provided as part of the grading and improvement permit applications. The SWMP addendum will include engineered treatment BMPs and a refined maintenance plan. All treatment BMPs shall be incorporated into the final design plans.

C. The following shall apply for the duration of this Site Plan:

1. Comply with all applicable stormwater regulations at all times. The activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (Ordinance No. 9424 and Ordinance No. 9426) and all other applicable ordinances and standards. This includes requirements for materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas greater than 1 acre require that the property owner keep additional and updated information on-site concerning stormwater runoff. This requirement shall be to the satisfaction of the Director of Public Works.

ADOPTION STATEMENT: This Mitigated Negative Declaration was adopted and above California Environmental Quality Act findings made by the:

Department of Planning and Land Use

on _____

DEVON MUTO, Planning Manager
Regulatory Planning Division

DM:JR:jcr

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